

Remarks

Reconsideration and allowance are requested in view of the above amendments and the remarks below. These amendments are being made to place the application in better condition for appeal. Applicants do not acquiesce in the correctness of the objections and rejections and reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application.

In the Office Action, claims 1-4 and 7-8 are rejected under 35 U.S.C. 112, second paragraph as allegedly being indefinite. Claims 1-4 and 8 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hoyle (U.S. 6,141,010) in view of Official Notice. Claim 7 is rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Hoyle in view of Nicholas, III (U.S. 6,865,719), hereinafter “Nicholas.” Applicants respectfully request withdrawal of the rejections.

With respect to claim rejections under 35 U.S.C. 112, second paragraph, Applicants have amended claims 1 and 2 to comply with the Office’s request. While Applicants have not used the term “user’s computer” as suggested by the Office, Applicants have made a similar amendment, which reads in part, “a computer of the user.” (Claims 1 & 2). Applicants respectfully submit that this amendment clarifies the relationship between the “user” and the “computer” of claims 1 and 2. Further, Applicants have amended “displaying...in accordance with...” to clarify the term, “advertisement information” as requested by the Office. While Applicants have not employed the same language as suggested by the Office, Applicants respectfully submit that the amended “displaying...” language is sufficiently definite.

Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. 112, second paragraph.

Applicants have further amended claims 1-4 and 7 to correct informalities. Applicants respectfully submit that such amendments do not alter the scope of the claims.

With respect to the dependent claims, Applicants hereby incorporate the arguments presented above with respect to the independent claims from which the claims depend. Accordingly, Applicants respectfully request withdrawal of the rejections of dependent claims 3, 4, 7 and 8 under 35 U.S.C. 112, second paragraph.

With respect to claim rejections under 35 U.S.C. 103(a), Applicants respectfully challenge the Office's assertion that an "effective display period of time" (claim 1) is, "only a common alternative for a number of times of display." (Final Office Action of 5 March 2009, at page 8). Accordingly, Applicants respectfully request that the Office produce documentary evidence to support such an assertion. (*See*, MPEP § 2144.03.C). Applicants hereby reiterate arguments made in the Amendment of 26 November 2008, and reserve the right to present further arguments regarding rejections under 35 U.S.C. 103(a) in a later-filed Appeal Brief.

If the Examiner believes that anything further is necessary to overcome the rejections under 35 U.S.C. 112, second paragraph, the Examiner is requested to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,

/ Matthew B. Pinckney /

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